



**Administrative Regulation Review Subcommittee  
Meeting Agenda  
Tuesday, November 9, 2021 at 1 p.m.  
Annex Room 149**



- 1. CALL TO ORDER AND ROLL CALL**
- 2. REGULATIONS FOR COMMITTEE REVIEW**

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**Education Professional Standards Board**

**Administrative Certificates**

[016 KAR 006:010](#). Assessment prerequisites for teacher certification. (Amended After Comments)

**SECRETARY OF STATE**

**Address Confidentiality Program**

[030 KAR 006:011E](#). Kentucky address confidentiality program. ("E" expires 06-12-2022) (Filed with Ordinary)

**DEPARTMENT OF LAW**

**Medical Examination of Sexual Abuse Victims**

[040 KAR 003:020](#). Protocol for operation of local multidisciplinary teams on child sexual abuse.

**Kentucky Victim and Witness Protection Program**

[040 KAR 006:010](#). Kentucky Victim and Witness Protection Program

[040 KAR 006:020](#). Funding assistance from the child victims' trust fund.

[040 KAR 006:030](#). Human Trafficking Victims Fund.

**FINANCE AND ADMINISTRATION CABINET**

**Department of Revenue**

**Ad Valorem Tax; State Assessment**

[103 KAR 008:090](#). Classification of property; public service corporations. (Amended After Comments)

**Income Tax; Corporations**

[103 KAR 016:270](#). Apportionment; receipts factor. (Amended After Comments)

**BOARDS AND COMMISSIONS**

**Board of Pharmacy**

[201 KAR 002:050](#). Licenses and permits; fees.

[201 KAR 002:076](#). Compounding.

**Board of Licensure for Long-Term Care Administrators**

[201 KAR 006:020](#). Other requirements for licensure. (Deferred from October)

## **Board of Dentistry**

[201 KAR 008:520](#). Fees and fines. (Amended After Comments)

## **TOURISM, ARTS AND HERITAGE CABINET**

### **Department of Fish and Wildlife Resources**

#### **Game**

[301 KAR 002:015](#). Feeding of wildlife. (Deferred from September)

[301 KAR 002:142](#). Spring wild turkey hunting.

[301 KAR 002:224](#). Waterfowl hunting zones.

#### **Hunting and Fishing**

[301 KAR 003:012](#). Public use of Otter Creek Outdoor Recreation Area.

[301 KAR 003:027](#). Hunting and fishing method exemptions for disabled persons.

[301 KAR 003:030](#). Year-round season for wildlife.

[301 KAR 003:110](#). Mobility-impaired hunts for deer, turkey and waterfowl.

#### **Wildlife**

[301 KAR 004:050](#). Swan Lake Unit of Boatwright Wildlife Management Area.

[301 KAR 004:070](#). Scientific and educational collecting permits.

#### **Water Patrol**

[301 KAR 006:070](#). Boat dealers.

## **JUSTICE AND PUBLIC SAFETY CABINET**

### **Department of Corrections**

#### **Kentucky Parole Board**

[501 KAR 001:050](#). Granting final discharge from parole.

#### **Class D and Class C Felons**

[501 KAR 002:020](#). Definitions for 501 KAR Chapter 2. (Not Amended After Comments)

[501 KAR 002:060](#). Procedures for housing of Class C and D felons. (Amended After Comments)

#### **Jail Standards for Full-service Facilities**

[501 KAR 003:110](#). Classification.

[501 KAR 003:120](#). Admission; searches and release.

[501 KAR 003:130](#). Prison programs; services.

[501 KAR 003:150](#). Hearings, procedures, disposition.

[501 KAR 003:170](#). Classifications.

#### **Office of the Secretary**

[501 KAR 006:190](#). Approval process for mental health professionals performing comprehensive sex offender presentence evaluations and treatment of sex offenders.

[501 KAR 006:200](#). Comprehensive sex offender presentence evaluation procedure.

[501 KAR 006:250](#). Graduated sanctions for technical violations of probation and compliance incentives system.

#### **Jail Standards for Restricted Custody Center Facilities**

[501 KAR 007:040](#). Personnel.

[501 KAR 007:060](#). Security; control.  
[501 KAR 007:090](#). Medical services.  
[501 KAR 007:100](#). Food services.  
[501 KAR 007:110](#). Classification.  
[501 KAR 007:120](#). Admission; searches and release.  
[501 KAR 007:130](#). Prisoner programs; services.  
[501 KAR 007:140](#). Prisoner rights.  
[501 KAR 007:150](#). Training.

**Psychiatric or Forensic Psychiatric Facility Victim Notification System**

[501 KAR 014:010](#). Psychiatric or Forensic Psychiatric Facility Victim Notification System.

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**Board of Education**

**Office of Chief State School Officer**

[701 KAR 005:160](#). Selection and Appointment of Non-Voting Kentucky Board of Education Members.

**School Terms, Attendance, and Operation**

[702 KAR 007:150](#). Home or hospital instruction. (Amended After Comments)

**Office of Learning Support Services**

[704 KAR 007:121](#). Repeal of 704 KAR 007:120. (Deferred from September)

**KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEMS**

**Commission on Fire Protection Personnel Standards and Education**

[739 KAR 002:060](#). Certification and qualifications of fire and emergency services instructors. (Deferred from October)

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**Department of Workforce Investment**

**Office of Employment and Training**

[787 KAR 002:040](#). Local workforce development area governance.

**LABOR CABINET**

**Department of Workers' Claims**

[803 KAR 025:190](#). Utilization review – Medical Bill Audit – Medical Director – Appeal of Utilization Review Decisions. (Amended After Comments) (Deferred from August)

**PUBLIC PROTECTION CABINET**

**Department of Insurance**

**Unauthorized Insurers' Prohibitions, Process and Advertising**

[806 KAR 011:020](#). Multiple employer welfare arrangements. (Deferred from October)

**Motor Vehicle Reparations (No-fault)**

[806 KAR 039:070](#). Proof of motor vehicle insurance. (Deferred from October)

## **Department of Housing, Buildings and Construction**

### **Elevator Safety**

[815 KAR 004:010](#). Annual inspection of elevators, chairlifts, fixed guideway systems, and platform lifts. (Deferred from October)

[815 KAR 004:025](#). Permit and inspection fees for new and altered elevators, chairlifts, fixed guideway systems, and platform lifts. (Deferred from October)

[815 KAR 004:027](#). Reporting incidents involving personal injury or death. (Deferred from October)

### **Kentucky Building Code**

[815 KAR 007:080](#). Licensing of fire protection sprinkler contractors. (Deferred from October)

[815 KAR 007:110](#). Criteria for expanded local jurisdiction. (Not Amended After Comments)

### **Standards of Safety**

[815 KAR 010:060](#). Kentucky standards of safety. (Not Amended After Comments)

[815 KAR 010:070](#). Consumer fireworks retailer registration and fees. (Deferred from October)

### **Plumbing**

[815 KAR 020:050](#). Installation permits. (Deferred from October)

[815 KAR 020:195](#). Medical gas piping installations. (Deferred from October)

### **Hazardous Materials**

[815 KAR 030:010](#). LP gas license; financial responsibility required. (Deferred from October)

[815 KAR 030:060](#). Certification of underground petroleum storage tank contractors. (Deferred from October)

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Office of Telehealth Services**

#### **Telehealth**

[900 KAR 012:005E](#). Telehealth terminology and requirements. ("E" expires 04-24-2022) (Filed with Ordinary) (Emergency Amended After Comments)

### **Department for Community Based Services**

#### **Division of Child Care**

[922 KAR 002:160](#). Child Care Assistance Program. (Filed with Emergency) (Amended After Comments)

### **Department of Disability Determination Services**

#### **Disability Determination**

[923 KAR 002:470](#). Disability Determinations Program.

## **3. REGULATIONS ~~REMOVED~~ FROM NOVEMBER'S AGENDA**

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Council on Postsecondary Education**

#### **Adult Education and Literacy**

[013 KAR 003:010](#). GED Testing Program. (Deferred from November)

[013 KAR 003:020](#). Provision of instruction for individuals sentenced by a court to participate in educational programs. (Deferred from November)

[013 KAR 003:030](#). Qualifications for progressing satisfactorily through a GED preparation program. (Deferred from November)

[013 KAR 003:040](#). GED Incentives Program. (Deferred from November)

[013 KAR 003:050](#). GED eligibility requirements. (Deferred from November)

[013 KAR 003:060](#). High school equivalency diploma awarded for credit hour completion at Kentucky Community and Technical College Systems institutions. (Deferred from November)

## **STATE BOARD OF ELECTIONS**

### **Statewide Voter Registration**

[031 KAR 003:010](#). Current address of Kentucky registered voters and distribution of voter registration lists. (Deferred from August)

### **Forms and Procedures**

[031 KAR 004:195E](#). Consolidation of precincts and precinct election officers. (Filed with Ordinary) ("E" expires 04-20-2022) (Not Amended After Comments) (Deferred from October)

[031 KAR 004:195](#). Consolidation of precincts and precinct election officers. (Filed with Emergency) (Comments Received, SOC ext., due 11-15-2021)

[031 KAR 004:200E](#). Chain of custody for records during an election contest. (Filed with Ordinary) ("E" expires 04-20-2022) (Not Amended After Comments) (Deferred from October)

[031 KAR 004:200](#). Chain of custody for records during an election contest. (Filed with Emergency) (Comments Received, SOC ext., due 11-15-2021)

### **Voting**

[031 KAR 005:025E](#). Ballot standards and election security. (Filed with Ordinary) ("E" expires 04-20-2022) (Not Amended After Comments) (Deferred from October)

[031 KAR 005:025](#). Ballot standards and election security. (Filed with Emergency) (Comments Received, SOC ext., due 11-15-2021)

## **PERSONNEL CABINET**

### **Personnel Board, Classified**

[101 KAR 002:210E](#). 2022 Plan Year Handbook for the Public Employee Health Insurance Program. ("E" expires 06-12-2022) (Filed with Ordinary) (Deferred from November)

## **FINANCE AND ADMINISTRATION CABINET**

### **Kentucky Retirement Systems**

#### **General Rules**

[105 KAR 001:210](#). Disability procedures. (Deferred from November)

[105 KAR 001:310](#). Fred Capps Memorial Act. (Deferred from November)

[105 KAR 001:330](#). Purchase of service credit. (Deferred from November)

### **Kentucky Infrastructure Authority**

[200 KAR 017:110](#). Guidelines for Kentucky Infrastructure Authority Drinking Water and Wastewater Grant Program. (Filed with Emergency) (Deferred from September) (SOC not filed; died 09-15-2021)

## **BOARDS AND COMMISSIONS**

### **Board of Pharmacy**

[201 KAR 002:430](#). Emergency orders and hearings. (Comments Received, SOC ext.; due 12-15-2021)

### **Board of Embalmers and Funeral Directors**

[201 KAR 015:030E](#). Fees. (Filed with Ordinary) ("E" expires 03-27-2022) (Deferred from September)

[201 KAR 015:030](#). Fees. (Filed with Emergency) (Deferred from October)

[201 KAR 015:040](#). Examination. (Filed with Emergency) (Deferred from October)

[201 KAR 015:050](#). Apprenticeship and supervision requirements. (Filed with Emergency) (Deferred from October)

[201 KAR 015:110](#). Funeral establishment criteria. (Filed with Emergency) (Deferred from October)

[201 KAR 015:125](#). Surface transportation permit. (Filed with Emergency) (Deferred from October)

### **Board of Nursing**

[201 KAR 020:215](#). Continuing competency requirements. (Comments Received, SOC ext.; due 11-15-2021)

[201 KAR 020:320](#). Standards for curriculum of prelicensure registered nurse and practical nurse programs. (Comments Received, SOC ext.; due 11-15-2021)

[201 KAR 020:471](#). Repeal of 201 KAR 020:470. (Deferred from September)

[201 KAR 020:472](#). Initial approval for dialysis technician training programs. (Amended After Comments) (Deferred from November)

[201 KAR 020:474](#). Continuing approval and periodic evaluation of dialysis technician training programs. (Not Amended After Comments) (Deferred from November)

[201 KAR 020:476](#). Dialysis technician credentialing requirements for initial credentialing, renewal, and reinstatement. (Deferred from September)

[201 KAR 020:478](#). Dialysis technician scope of practice, discipline, and miscellaneous requirements. (Deferred from September)

## **TOURISM, ARTS AND HERITAGE CABINET**

### **Department of Fish and Wildlife Resources**

#### **Game**

[301 KAR 002:082](#). Transportation and holding of live exotic wildlife. (Comments Received; SOC due 11-15-2021)

#### **Hunting and Fishing**

[301 KAR 003:010](#). Public use of Wildlife Management Areas. (Deferred from November)

[301 KAR 003:026](#). Access to Wildlife Management Areas for mobility-impaired individuals. (Deferred from November)

## **Wildlife**

[301 KAR 004:001](#). Selection of Fish and Wildlife Resources Commission nominees. (Deferred from November)

[301 KAR 004:010](#). Districts. (Deferred from November)

[301 KAR 004:020](#). Ballard Wildlife Management Area restrictions. (Deferred from November)

[301 KAR 004:100](#). Peabody Wildlife Management Area use requirements and restrictions. (Deferred from November)

[301 KAR 004:110](#). Administration of drugs to wildlife. (Deferred from November)

## **Licensing**

[301 KAR 005:001](#). Definitions for 301 KAR Chapter 5. (Deferred from November)

[301 KAR 005:030](#). Purchasing licenses and permits. (Deferred from November)

[301 KAR 005:100](#). Interstate Wildlife Violators Compact. (Deferred from November)

## **Water Patrol**

[301 KAR 006:001](#). Definitions for 301 KAR Chapter 6. (Deferred from November)

## **Kentucky State Fair Board**

### **Fairgrounds and Exhibition Center**

[303 KAR 001:005](#). Vehicle speed. (Deferred from November)

[303 KAR 001:010](#). Vehicle parking. (Deferred from November)

[303 KAR 001:015](#). Traffic flow. (Deferred from November)

[303 KAR 001:075](#). Conduct and operation of concessions and exhibits. (Deferred from November)

[303 KAR 001:080](#). Exposition Center, grounds; dissemination of material; demonstrations. (Deferred from November)

[303 KAR 001:090](#). Exhibition Center, dissemination of material; demonstrations. (Deferred from November)

[303 KAR 001:100](#). Exposition Center, grounds; sales and dissemination of real property, fixtures and goods, solicitation of contribution or sales during annual State Fair; rental of space; use of sound amplification equipment. (Deferred from November)

[303 KAR 001:110](#). Procurement procedures. (Deferred from November)

## **JUSTICE AND PUBLIC SAFETY CABINET**

### **Department of Criminal Justice Training**

#### **Kentucky Law Enforcement Council**

[503 KAR 001:060](#). Definitions for 503 KAR Chapter 1. (Deferred from November)

[503 KAR 001:080](#). Certification of schools. (Deferred from November)

[503 KAR 001:090](#). Approval of course curriculums. (Deferred from November)

[503 KAR 001:100](#). Certification of instructors. (Deferred from November)

[503 KAR 001:110](#). Department of Criminal Justice Training Basic training: graduation requirements; records. (Deferred from November)

[503 KAR 001:120](#). Professional development in-service training: training requirements; recognized courses; records. (Deferred from November)

[503 KAR 001:140](#). Peace officer, telecommunicator, and court security officer professional standards. (Deferred from November)

[503 KAR 001:170](#). Career Development Program. (Deferred from November)

## **TRANSPORTATION CABINET**

### **Department of Highways**

#### **Traffic**

[603 KAR 005:360](#). Transportation Cabinet use of interstate and parkway signs to locate missing persons. (Comments Received, SOC due 11-15-2021)

#### **Billboards**

[603 KAR 010:011E](#). Repeal of 603 KAR 010:002, 010:010, and 010:021. ("E" expires 04-26-2022) (Emergency Only) (Deferred from October)

[603 KAR 010:040E](#). Advertising devices. ("E" expires 04-26-2022) (Filed with Ordinary) (Emergency Amended After Comments) (Deferred from November)

[603 KAR 010:040](#). Advertising devices. (Filed with Emergency) (Comments Received, SOC due 11-15-2021)

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Board of Education**

#### **General Administration**

[702 KAR 001:191E](#). District employee quarantine leave. (Filed with Ordinary) (Not Amended After Comments)

[702 KAR 001:191](#). District Employee Quarantine Leave. (Filed with Emergency) (Comments Received, SOC ext.; due 12-15-2021)

#### **School Terms, Attendance, and Operation**

[702 KAR 007:125](#). Pupil attendance. (Filed with Emergency) (Deferred from November)

[702 KAR 007:125E](#). Pupil attendance. (Filed with Ordinary)

### **Department for Libraries and Archives**

#### **Archives**

[725 KAR 001:010](#). Records officers; duties. (Deferred from October)

[725 KAR 001:020](#). Recording and reproducing public records. (Deferred from October)

[725 KAR 001:025](#). Transfer of public records. (Deferred from October)

[725 KAR 001:030](#). Scheduling public records for retention and disposal; procedures. (Deferred from October)

[725 KAR 001:040](#). Collection and distribution of reports and publications. (Deferred from October)

[725 KAR 001:050](#). Records management program. (Deferred from October)

[725 KAR 001:061](#). Records retention schedules; authorized schedules. (Deferred from October)

#### **Libraries**

[725 KAR 002:015](#). Public library facilities construction. (Deferred from October)

[725 KAR 002:080](#). Interstate Library Compact. (Deferred from October)



**Department of Workforce Investment  
Office of Vocational Rehabilitation**

[781 KAR 001:010](#). Office of Vocational Rehabilitation appeal procedures. (Deferred from November)

[781 KAR 001:020](#). General provisions for operation of the Office of Vocational Rehabilitation. (Deferred from November)

[781 KAR 001:030](#). Order of selection and economic need test for vocational rehabilitation services. (Deferred from November)

[781 KAR 001:040](#). Rehabilitation technology services. (Deferred from November)

[781 KAR 001:050](#). Carl D. Perkins Vocational Training Center. (Deferred from November)

**Office for the Blind**

[782 KAR 001:010](#). Kentucky Business Enterprises. (Deferred from November)

[782 KAR 001:070](#). Certified driver training program. (Deferred from November)

**Kentucky Commission on Proprietary Education**

[791 KAR 001:010](#). Applications, permits, and renewals. (Deferred from November)

[791 KAR 001:020](#). Standards for licensure. (Deferred from November)

[791 KAR 001:025](#). Fees. (Deferred from November)

[791 KAR 001:027](#). School record keeping requirements (Deferred from November)

[791 KAR 001:030](#). Procedures for hearings. (Deferred from November)

[791 KAR 001:035](#). Student protection fund. (Deferred from November)

[791 KAR 001:040](#). Commercial driver license training school curriculum and refresher course. (Deferred from November)

[791 KAR 001:050](#). Application for license for commercial driver license training school. (Deferred from November)

[791 KAR 001:060](#). Application for renewal of license for commercial driver license training school. (Deferred from November)

[791 KAR 001:070](#). Commercial driver license training school instructor and agency application and renewal procedures. (Deferred from November)

[791 KAR 001:080](#). Maintenance of student records, schedule of fees charged to students, contracts and agreements involving licensed commercial driver license training schools. (Deferred from November)

[791 KAR 001:100](#). Standards for Kentucky resident commercial driver training school facilities. (Deferred from November)

[791 KAR 001:150](#). Bond requirements for agents and schools. (Deferred from November)

[791 KAR 001:155](#). School closing process. (Deferred from November)

[791 KAR 001:160](#). Transfer of ownership, change of location, change of name, revision of existing programs. (Deferred from November)

**LABOR CABINET**

**Department of Workplace Standards**

**Labor Standards; Wages and Hours**

[803 KAR 001:005](#). Employer-employee relationship. (Deferred from September)

[803 KAR 001:025](#). Equal pay provisions, meaning and application. (Deferred from September)

[803 KAR 001:060](#). Overtime pay requirements. (Deferred from September)  
[803 KAR 001:063](#). Trading time. (Deferred from September)  
[803 KAR 001:065](#). Hours worked. (Deferred from September)  
[803 KAR 001:066](#). Recordkeeping requirements. (Deferred from September)  
[803 KAR 001:070](#). Executive, administrative, supervisory or professional employees; salesmen.  
(Deferred from September)  
[803 KAR 001:075](#). Exclusions from minimum wage and overtime. (Deferred from September)  
[803 KAR 001:080](#). Board, lodging, gratuities and other allowances. (Deferred from September)  
[803 KAR 001:090](#). Workers with disabilities and work activity centers' employee's wages. (Not  
Amended After Comments) (Deferred from November)

### **Occupational Safety and Health**

[803 KAR 002:330E](#). Occupational exposure to COVID-19. (Emergency Only) (Not Amended  
After Comments) (Possibly impacted by 2021 Legislation)

## **PUBLIC PROTECTION CABINET**

### **Department of Insurance**

#### **Health Insurance Contracts**

[806 KAR 017:350](#). Life insurance and managed care. (Deferred from October)

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Office of Telehealth Services**

#### **Telehealth**

[900 KAR 012:005](#). Telehealth terminology and requirements. (Filed with Emergency)  
(Comments Received; SOC due 11-15-2021)

### **Department for Public Health**

#### **Sanitation**

[902 KAR 010:120](#). Kentucky public swimming and bathing facilities. (Comments Received, SOC  
ext.; due 11-15-2021)

[902 KAR 010:190](#). Splash pads operated by local governments. (Comments Received, SOC ext.;  
due 11-15-2021)

### **Department for Medicaid Services**

#### **Hospital Services Coverage and Reimbursement**

[907 KAR 010:815](#). Per Diem inpatient hospital reimbursement. (Comments Received; SOC due  
11-15-2021)

#### **Outpatient Pharmacy Program**

[907 KAR 023:020](#). Reimbursement for outpatient drugs. (Filed with Emergency) (Comments  
Received, SOC ext., due 11-15-2021)

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*\*Expiration dates in this document have been determined pursuant to KRS Chapter 13A provisions.  
Other statutes or legislation may affect a regulation's actual end date.*